

COMMISSION DIRECTIVE

ADMINISTRATIVE MATTER	<input type="checkbox"/>	DATE	<u>July 09, 2008</u>
MOTOR CARRIER MATTER	<input type="checkbox"/>	DOCKET NO.	<u>2007-255-C</u>
UTILITIES MATTER	<input checked="" type="checkbox"/>	ORDER NO.	<u>2007-256-C</u>

SUBJECT:

DOCKET NO. 2007-255-C - Petition for Approval of Nextel South Corporation's Adoption of the Interconnection Agreement between Sprint Communications L.P., Sprint Spectrum L.P. d/b/a Sprint PCS and BellSouth Telecommunications, Incorporated d/b/a AT&T South Carolina d/b/a AT&T Southeast

-and-

DOCKET NO. 2007-256-C - Petition for Approval of NPCR, Incorporated d/b/a Nextel Partners' Adoption of the Interconnection Agreement between Sprint Communications, L.P./Sprint Spectrum L.P. d/b/a Sprint PCS and BellSouth Telecommunications, Incorporated d/b/a AT&T South Carolina d/b/a AT&T Southeast

Discuss this Matter with the Commission.

COMMISSION ACTION:

This matter arises from Nextel South's and Nextel Partners' request to adopt the existing interconnection agreement between Sprint Communications, L.P., Sprint Spectrum L.P. d/b/a Sprint PCS and BellSouth Telecommunications, Incorporated d/b/a AT&T South Carolina d/b/a AT&T Southeast.

The Nextel Parties argue that they are entitled to adopt this agreement under both the BellSouth/AT&T Merger Commitments and Section 252(i) of the Telecommunications Act of 1996. Additionally, Nextel argues that they are entitled to adopt the entire agreement even if only part of the agreement is applicable to Nextel.

BellSouth/AT&T argues that since this issue involves the merger commitments, that this Commission should defer this matter to the FCC. Additionally BellSouth/AT&T argue that since this agreement calls for both CLEC and wireless providers to be parties to the agreement that Nextel as a wireless only carrier is not entitled to adopt this agreement.

BellSouth/AT&T references Attachment 3 Section 6.1 of the agreement which allows for termination or renegotiation of the agreement under certain conditions.

The Nextel entities do not bring a CLEC into this agreement, and have not provided AT&T South Carolina with cost studies.

Mr. Chairman, I move:

- That under both Section 252(i) and the Merger Commitments, the Nextel entities are entitled to adopt this agreement.
- That the terms of the agreement allow for renegotiation under certain conditions, which appear to exist in this case. Thus BellSouth/AT&T may seek to renegotiate this agreement.

PRESIDING: Hamilton

SESSION: Regular

TIME: 2:30 p.m.

	MOTION	YES	NO	OTHER
CLYBURN	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
FLEMING	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
HAMILTON	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
HOWARD	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
MITCHELL	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
WHITFIELD	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
WRIGHT	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	

RECORDED BY: J. Schmieding